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ONE HUNDRED SEVENTH CONGRESS

Congress of the United States

House of Representatives

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May 24, 2002

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INDEPENDENT

The Honorable Dan Burton
Chairman
Committee on Government Reform
2157 Rayburn House Office Building
Washington, DC 20515

Dear Mr. Chairman:

I am writing with regard to two draft subpoenas that you intend to issue for the bank records of Ernest G. Green, a Democratic fundraiser, and his wife Phyllis Caudle-Green.

More than five years have passed since you started investigating the fundraising of the 1996 Clinton presidential campaign. Sixteen months have passed since Bill Clinton left office. Nevertheless, it seems that your staff is intent on continuing to pursue President Clinton and his associates.

This Committee has been investigating Ernest Green since the beginning of 1997. In 1998, this Committee issued four subpoenas for Mr. and Mrs. Green's bank records. This Committee also deposed Mr. Green on two occasions for a total of over ten hours. In March 1999, you wrote to then-Attorney General Reno and requested that the Justice Department consider prosecuting Mr. Green.

While the prosecution of Mr. Green was begun under the Clinton Administration, the prosecution was concluded by the Bush Administration. As you are no doubt aware, Mr. Green pled guilty on December 21, 2001, to failing to pay taxes on \$30,000 in income he received from Charlie Trie in 1995. On April 9, 2002, Mr. Green was sentenced to two years probation and 90 days of home detention, and ordered to pay a \$10,000 fine. Now that Mr. Green's case been closed by the Bush Justice Department, I cannot imagine what purpose would be served by seeking additional bank records for Mr. Green – more than three years after you referred his case for prosecution.

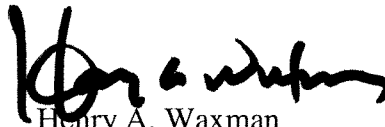
Ironically, at the same time that your staff is continuing to investigate Clinton fundraising, you have shown absolutely no interest in investigating the Bush Administration. Over the past year, I have written to you regarding: briefings by Cabinet secretaries with large Republican donors; use of Vice President Cheney's residence for fundraising; Karl Rove's

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meetings with Intel executives at the same time he owned over \$100,000 of Intel stock; meetings between the Cheney energy task force and outside groups; and the influence of Enron's political contributions on federal policy.¹ In each instance, you have chosen not to pursue allegations involving the Bush Administration that were virtually identical to allegations involving the Clinton Administration that you vigorously pursued – and apparently continue to pursue.

Mr. Chairman, I request that you withdraw your draft subpoena for Mr. and Mrs. Green's bank records.

Sincerely,



Henry A. Waxman
Ranking Minority Member

¹See, e.g., Letters from Rep. Waxman to Chairman Burton (May 10, 2001; May 21, 2001; June 5, 2001; June 15, 2001; June 25, 2001; Feb. 11, 2002).